IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE THIRTY FIRST DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO.25080 of 2004

Between:

D. Sujatha, W/o M. Koteswara Rao,
99 BN, RAF/CRPF, F.No. 940880241, Hakimpet, Secunderabad.

...PETITIONER

AND

1. The Director General of Police, Central Reserve Protection Force, Ministry of Home Affairs, R.K.Puram, New Delhi – 110022.
2. The Commandant, B.No.99, RAF/CRPF, Hakimpet, Secunderabad.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ particularly one in the nature of Writ of mandamus while calling for the records to direct the respondents herein to retain the petitioner along with petitioner serving husband, at the present station as per the policy of the CRPF of Retaining husband and wife together, as per the spirit of the guidelines particularly as clarified in Annexure-2 herein in the ends of justice.

Counsel for the Petitioner: MR.P.V.RAVINDER KUMAR

Counsel for the Respondents: MR.A.RAJASHEKAR REDDY (SC FOR Central Government)

The Court at the admission stage made the following:

THE HON'BLE SRI JUSTICE K.C.BHANU

WRIT PETITION NO.25080 OF 2004

ORDER:

The present Writ Petition is filed challenging the transfer order of the second respondent in his proceedings No.T.IX/04-99-EC-I dated Nil/12/2004 in respect of the present petitioner transferring from Hyderabad to Delhi. The petitioner challenges the same on the ground that her husband is working at Secunderabad.

Heard the learned counsel for the petitioner and also the learned standing counsel for the respondents.

There cannot be any dispute that the transfer is made under General Transfers, as it is one of the requirements of the service conditions. The jurisdiction of the authority, who issued the transfer order is not under challenge. So also, no malafides are attributed to the transferring authority and it is also not a case that the transfer is made in contravention of the rules or regulations regarding the transfer of the candidates. But the grievance of the petitioner is that her husband is working at Secunderabad and for that purpose, she made a representation to the respondents on 29.12.2004 to consider her case to retain her at Hyderabad, so that, they both can live at the present station. The same has to be considered by the respondents in

accordance with the transfer policy of the respondents.

Accordingly, the Writ Petition is disposed of, directing the respondents to consider the representation of the petitioner, dated 29.12.2004 in accordance with the rules and regulations.

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(K.C.BHANU, J)

31st December 2004

RRB

ASSISTANT REGISTRAR

//True Copy//

SECTION OFFICER

Copy To:

1. The Director General of Police, Central Reserve Protection Force, Ministry of Home Affairs, R.K.Puram, New Delhi – 110022.
2. The Commandant, B.No.99, RAF/CRPF, Hakimpet, Secunderabad.

3. Two CD copies.